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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/624,279  
Filing Date: July 22, 2003  
Appellant(s): LIND ET AL.

**MAILED**

**APR 17 2007**

**GROUP 3700**

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Russell D. Culbertson  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed November 28, 2006 appealing from the  
Office action mailed June 28, 2006.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

2003/0064771	Morrow et al.	4-2003
6,620,047	Alcorn et al.	9-2003

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 5 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 5 and 27, the limitation of “one or more (mechanical) player interface mounted on the gaming machine (or on the front side of the gaming machine) **in an area removed from the forwardly projection ledge**” is vague and indefinite since it is unclear exactly which area being removed from the projection ledge. For the purpose of examination, claim 5 is interpreted as at least one player interface device is located on the front side of the gaming machine on the forwardly projection ledge. And further, claim 27 is interpreted as one or more mechanical player interface devices mounted on the forwardly projection ledge of the gaming machine. (Final Office Action, mailed June 28, 2006 (page 2, *Claim Rejections - 35 USC § 112*)).

**Claims 1, 2, 4-6, 9-14, 16-21, 23, 26, and 27 are rejected under 35 U.S.C.**

**103(a) as being unpatentable over Morrow et al. (2003/0064771) in view of Alcorn et al. (6,620,047).**

Referring to claims 1, 4-6, 14, 16, 21, 23, 26, and 27, Morrow et al. teaches a gaming system and method (having means or steps thereto) comprising: a number of gaming machines (see Abstract, paragraphs 44-46), each gaming machine (10) including a respective game presentation arrangement having a game video display (50), a first additional video display (30) located above the game video display, any display could be a player control touch screen display (paragraph 22), a second additional video display (60) located below the video display, and a processing arrangement for controlling the game video display, first additional video display, second additional video display, and player control touch screen display, and wherein each of the game video display, first additional video display, second additional video display, and player control touch screen display extend substantially the entire width of a front side of the respective gaming machine (Figs. 1, 2); and a game modification controller (from central server)(Fig.4)(paragraphs 27 and 44-46) in communication with each respective gaming machine, the game modification controller for selectively communicating presentation switching instructions, *i.e., switching games, pay-tables, wager values, etc.* (paragraphs 44-46) to each respective gaming machine, the presentation switching instructions being executable at the respective gaming machine to cause the respective gaming machine to switch the content of the game video display, the first additional video display, the second additional video display, and the

player control touch screen display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation.

Note that, Morrow et al. also teaches that all displays may include touch screen input from the user (user interface)(paragraph 22); and the game machine provides option for supporting at least five video displays (paragraph 21); and any content may be displayed on any of the screens (paragraph 22). **Note that, the amended limitation of the first additional video display extending substantially the entire width of a front side of the gaming machine (claims 1 and 21) is met by the teaching of Morrow et al.'s first additional video display (30) (Fig.1).**

**Morrow et al. does not explicitly teach** the limitations of a player control touch screen display located below the game video display and forming a ledge projecting from a plane of the game video display (claims 1, 6, 14, and 21); a series of four video displays located at a front side of the gaming machine in columnar fashion, and each respective video display extending across substantially the entire width of the front side of the gaming machine (claim 16); a mechanical player input device or player interface device locate on the forwardly projecting ledge (claims 4 and 26) or the front side of the game machine (claims 5 and 27). **Alcorn et al., however, teaches** a gaming system teaches a player control panel having control buttons 40 located below the game video display and forming a ledge projecting from a plane of a game video display (Fig.1); and the control buttons could be touch screen button (4:16-17, Fig.3); further, since Alcorn et al. suggest the a slant-top player control interface can be used, it is obvious to utilize the slant-top video screen together with the mechanical player control devices mounted

ledge (38). Referring to the feature of arranging the video displays, this is a design choice because orienting the displays differently within the gaming machine does not effect or bring unexpected results to the outcome of the game. It is also noted from the applicant's disclosure that the number of video displays of the invention could be reduced, i.e., "**although each video display shown in Figure 1 is indicated as being a single display, it will be appreciated that each video display 14, 15, 17, and 18 shown in Figure 1 may in fact be made up of two or more separate displays that combine to provide what appears to the user to be a single display**" (Specification, page 10, lines 18-21), this is similar to the integration of the player control buttons into video screen as disclosed by Alcorn et al. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide the slant-top mechanical or digital control interface of Alcorn et al. to Morrows et al.'s electronic gaming system to enhance user interfaces in gaming machine.

Referring to claim 2, Morrow et al. teaches any content may be displayed on any of the screens (paragraph 22).

Referring to claims 9-13 and 17-20, Morrow et al. teaches a game presentation server with a presentation storage management for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define the video content of each respective video display on the respective gaming machine during the operation of the respective gaming machine (paragraph 46); the game modification controller is also for directing the transfer of a new set of presentation instructions from the game presentation server to a respective

one of the gaming machines in connection with the presentation switching instructions communicated to the respective gaming machine (paragraphs 44-45); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the monitored usage (paragraphs 51-52); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (paragraphs 44-45); and at least one of the gaming machines includes a storage device storing a number of sets of presentation instructions, each set of presentation instructions being executable at the respective gaming machine to define the video content of the respective video displays on the respective gaming machine during the operation of the respective gaming machine (paragraphs 30-33). (Final Office Action, mailed June 28, 2006 (pages 3-6, *Claim Rejections - 35 USC § 103*)).

#### **(10) Response to Argument**

##### **I. Response to Appellant's arguments on rejected claims 5 and 27**

under 35 USC § 112, second paragraph. (Argument Section, page 6, last paragraph to page 7, 1<sup>st</sup> full paragraph of Appellant's Brief).

The Appellant explained that "*the adjective 'removed' is used in its normal sense in claims 5 and 27 to mean that the area in which the at least one player interface device is located is separate or remote from the forwardly projecting ledge 16 shown in Appellants' Figure 1. This positioning of player interface devices 'removed from' the*

*forwardly projecting ledge 16 is clearly shown in Appellants' Figure 1 by player interface devices 20. The Appellants submit that the language of claims 5 and 27 simply means that the at least one player interface device is positioned in some area on the front of the gaming machine other than the forwardly projecting ledge 16.*" This explanation, however, contradicts the appellant's disclosure. According to Figure 1, the player interface device 19 and 20 appear to be integrated with the ledge 16, not "removed" or remote from it.

Claims 5 and 27, therefore, stand rejected as being vague and indefinite under 35 USC § 112, second paragraph.

II. Response to Appellant's arguments on rejected claims 1, 6, and 21 under 35 USC § 103. (Argument Section, page 8, line 1 to page 11, line 13 of Appellant's Brief).

The Appellant argued that Morrow et al. and Alcorn et al. do not teach or suggest a ledge-mounted video display or player control touch screen feature (Argument Section, page 8, lines 1-11 of Appellant's Brief) is respectfully disagreed.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Morrow et al. teaches configurable gaming machine comprises a plurality of displays (30, 50, 60) (Fig.1) wherein any display could be a player control touch screen display:

*“Note that all displays may include touchscreen input from user. It should be appreciated by one skilled in the art that any number of screen may be used, in accordance with the present invention. Moreover, any content may be displayed on any of the screens.”* (Morrow et al.’s paragraph 22, lines 8-12)

Further, Alcorn et al. teaches an electronic game apparatus (Figs. 1, 2) using both integrated touch screen buttons 19 and mechanical buttons 40 (Fig. 2), and a ledge having mechanical buttons 40 thereon for the player to control the game:

*“a lower region 19 in which touch screen ‘buttons’ are displayed for facilitating player selection of various input functions such as ‘hold,’ ‘bet1,’ ‘draw,’ etc. ... An integrated touch screen overlaying the display screen, along with the series of ‘hard’ buttons 40 arrayed along the bottom edge of the display, provide the main player interface to the system...”* (Alcorn et al.’s 3:60-4:25).

It is also noted from the applicant’s disclosure that the number of video displays of the invention could be reduced, i.e., *“Although Figure 1 shows four separate video displays that combine to produce the game presentation for gaming machine 10, it will be appreciated that fewer video displays may be used. For example, a gaming machine according to the invention may include game video display 14 and only a single additional video display that may be mounted above or below the game video display and take up the entire area of the gaming machine front surface previously reserved for a static top glass or belly glass display. Also, although each video display shown in Figure 1 is indicated as being a single display, it will be appreciated that each video display 14, 15, 17, and 18 shown in Figure 1 may in fact be made up of two or more*

*separate displays that combine to provide what appears to the user to be a single display*" (Specification, page 10, lines 13-21), this is similar to the integration of the player control buttons into video screen as disclosed by Alcorn et al. reference.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a separated player touch screen controller, as taught by Morrow et al., in place of the player mechanical control buttons on the slant-top (or projection ledge) of Alcorn et al.'s gaming machine to enhance user gaming interfaces.

### III. Response to Appellant's arguments on rejected claim 14 under 35

USC § 103. (Argument Section, page 11, line 14 to page 12, line 11 of Appellant's Brief).

The Appellant argued that Morrow et al. and Alcorn et al. do not teach or suggest element (c) of claim 14 which requires that the third video display is located below a second video display and forms a portion of a ledge extending from a plan of the second video display (Argument Section, page 11, line 14 to page 12, line 11 of Appellant's Brief) is respectfully disagreed.

Morrow et al. teaches a gaming system and method wherein each gaming machine (10) includes a respective game presentation arrangement having a first additional video display (30), a second additional video display (50) located below the first video display, and a processing arrangement for controlling the game video display. Morrow et al. also teaches that all displays may include touch screen input from the

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user (user interface)(paragraph 22); and the game machine provides option for supporting at least five video displays (paragraph 21); and any content may be displayed on any of the screens (paragraph 22):

*The middle display area 50 provides the traditional game display. Typically, spinning reels, poker, keno or any number of games are presented in the middle display area 50. The bottom display area 60 fills the area traditionally associated with the "belly glass" in a gaming machine and showcases artwork representative of the theme of the game being played in the middle screen 50. The bottom display area generally is comprised of two video displays arranged in a unique way so that the two screens have the look and feel of a single piece of glass, thus appearing to be a single, large odd-shaped display... A single piece of glass is placed over both displays to give it the outward appearance of a single solid piece of glass... Since standard PC technology is preferably used, a PCI plug-in card for the PC may support four monitors simultaneously. Added to the Accelerated Graphics Port "AGP" card, which the game platform preferably runs, the game platform provides the option of using five monitors. The Microsoft operating system recognizes the multiple monitors and enables them to be driven with differing graphics. Two video outputs drive the 'belly glass' LCD displays, the middle display uses the AGP output and a single video output drives a 18" LCD in the top glass area. This leaves one extra video display that may be used for any purpose. (Morrow et al.'s paragraph 21)*

*Thus, the gaming machine retains the basic look and feel of the traditional gaming machine. There is a top glass 30 area for displaying pay table information, bonus play information, or player attraction content. There is a central main screen area 50 for active game play. Finally, there is a lower attract mode area for display 60 for the traditional belly glass, game features or advertising information. Note that all displays may include touchscreen input from the user. It should be appreciated by one skilled in the art that any number of screens may be used, in accordance with the present invention. Moreover, any content may be displayed on any of the screens. (Morrow et al.'s paragraph 22)*

Further, Alcorn et al. teaches an electronic game apparatus (Figs. 1, 2) using both integrated touch screen buttons 19 and mechanical buttons 40 (Fig. 2), and a ledge having mechanical buttons 40 thereon for the player to control the game:

*"a lower region 19 in which touch screen 'buttons' are displayed for facilitating player selection of various input functions such as 'hold,' 'bet1,' 'draw,' etc. ... An integrated touch screen overlaying the display screen, along with the series of 'hard' buttons 40 arrayed along the bottom edge of the display, provide the main player interface to the system..."* (Alcorn et al.'s 3:60-4:25).

Since Alcorn et al. suggest the a slant-top (or projection ledge) player control interface could be used in his video game system, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a separated player touch screen controller, as taught by Morrow et al., in place of the player mechanical control buttons on the slant-top (or projection ledge) of Alcorn et al.'s gaming machine to enhance user gaming interfaces. Note that, the combination of teachings from Morrow et al.'s and Alcorn et al.'s would result in gaming system having a third video display or player touch screen display on the slant-top (or projection ledge).

Further, the responses made above to Section (10) II with reference to the teaching of Morrow et al. and Alcorn et al. is also applied herein.

**IV. Response to Appellant's arguments on rejected claim 16 under 35 USC § 103.** (Argument Section, page 12, line 12 to page 14, line 19 of Appellant's Brief).

(a) The Appellant argued that Morrow et al. and Alcorn et al. do not teach or suggest a method of making a game presentation at a gaming machine and requires displaying a first game presentation through a series of four video displays located at a front side of the gaming machine in columnar fashion, each respective video display

showing a respective portion of the first game presentation and extending across substantially the entire width of the front side of the gaming machine (Argument Section, page 12, line 13 to page 12, line 5 of Appellant's Brief) is respectfully disagreed.

Morrow et al. teaches a method of making a game presentation at a gaming machine and requires displaying a first game presentation through a series of video displays located at a front side of the gaming machine in columnar fashion, each respective video display showing a respective portion of the first game presentation having a first additional video display (30), a second additional video display (50) located below the first video display, and a processing arrangement for controlling the game video display. Further, it appears from Morrow et al.'s Figures 1 and 2 that first additional video display, second additional video display, and player control touch screen display extend substantially the entire width of a front side of the respective gaming machine (Figs. 1, 2). Morrow et al. also teaches the game machine provides option for supporting at least five video displays (paragraph 21); and any content may be displayed on any of the screens (paragraph 22):

*The middle display area 50 provides the traditional game display. Typically, spinning reels, poker, keno or any number of games are presented in the middle display area 50. The bottom display area 60 fills the area traditionally associated with the "belly glass" in a gaming machine and showcases artwork representative of the theme of the game being played in the middle screen 50. The bottom display area generally is comprised of two video displays arranged in a unique way so that the two screens have the look and feel of a single piece of glass, thus appearing to be a single, large odd-shaped display... A single piece of glass is placed over both displays to give it the outward appearance of a single solid piece of glass... Since standard PC technology is preferably used, a PCI plug-in card for the PC may support four monitors simultaneously. Added to the Accelerated Graphics Port "AGP" card, which the game platform preferably runs, the game platform provides the option of using five monitors. The Microsoft*

*operating system recognizes the multiple monitors and enables them to be driven with differing graphics. Two video outputs drive the 'belly glass' LCD displays, the middle display uses the AGP output and a single video output drives a 18" LCD in the top glass area. This leaves one extra video display that may be used for any purpose. (Morrow et al.'s paragraph 21)*

*Thus, the gaming machine retains the basic look and feel of the traditional gaming machine. There is a top glass 30 area for displaying pay table information, bonus play information, or player attraction content. There is a central main screen area 50 for active game play. Finally, there is a lower attract mode area for display 60 for the traditional belly glass, game features or advertising information. Note that all displays may include touchscreen input from the user. It should be appreciated by one skilled in the art that any number of screens may be used, in accordance with the present invention. Moreover, any content may be displayed on any of the screens. (Morrow et al.'s paragraph 22)*

Although Morrow et al. does not explicitly teach the limitation of a series of four video displays extending across substantially the entire width of the front side of the gaming machine, this feature of arranging the video displays is considered as a design choice because orienting the displays differently within the gaming machine does not effect or bring unexpected results to the outcome of the game. It is also noted from the applicant's disclosure that the number of video displays of the invention could be reduced, i.e., **"Although Figure 1 shows four separate video displays that combine to produce the game presentation for gaming machine 10, it will be appreciated that fewer video displays may be used. For example, a gaming machine according to the invention may include game video display 14 and only a single additional video display that may be mounted above or below the game video display and take up the entire area of the gaming machine front surface previously reserved for a static top glass or belly glass display. Also, although**

**each video display shown in Figure 1 is indicated as being a single display, it will be appreciated that each video display 14, 15, 17, and 18 shown in Figure 1 may in fact be made up of two or more separate displays that combine to provide what appears to the user to be a single display" (Specification, page 10, lines 13-21), this arrangement design also does not effect or bring unexpected results to the outcome of the game.**

**Further, Applicant's arguments regarding rearrangement of the video displays in the gaming machine not a design choice** (Argument Section, page 14, lines 8-17 of Appellant's Brief) are not persuasive. *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950) (Claims to a hydraulic power press which read on the prior art except with regard to the position of the starting switch were held unpatentable because shifting the position of the starting switch would not have modified the operation of the device.); *In re Kuhle*, 526 F.2d 553, 188 USPQ7 (CCPA 1975) (the particular placement of a contact in a conductivity measuring device was held to be an obvious matter of design choice). (MPEP 2144.04, VI C). In this case, the rearrangement of the video display, including video touch screen display, is a design choice because orienting the displays differently within the gaming machine does not effect or bring unexpected results to the outcome or operation of the game, rather, it may change the appearance of the gaming machine.

**Further, the responses made above to Section (10) II with reference to the teaching of Morrow et al. and Alcorn et al. is also applied herein.**

(b) Appellant argued that Morrow et al. and Alcorn et al. do not teach or suggest a method of making a game presentation at a gaming machine and requires producing a presentation switching instruction at least partially based on the utilization of additional gaming machines included in a gaming system in which the gaming machine is included, where the additional gaming machines each provide a second game presentation (Argument Section, page 13, line 6 to page 14, line 19 of Appellant's Brief) is respectfully disagreed.

Morrow et al. teaches a method of making a game presentation at a gaming machine and requires producing a presentation switching instruction at least partially based on the utilization of additional gaming machines included in a gaming system in which the gaming machine is included, where the additional gaming machines each provide a second game presentation *i.e.*, *switching games, pay-tables, wager values on a plurality of machines with more popular game, associated pay table and artwork* (paragraph 27, lines 9-12)(see also, Abstract and paragraphs 44-46), each gaming machine (10) including a respective game presentation arrangement having a game video display (50), and a game modification controller (from central server) (Fig.4) (paragraphs 27 and 44-46) in communication with each respective gaming machine, *i.e., switching games, pay-tables, wager values on a plurality of machines with more popular game, associated pay table and artwork*; the game modification controller for selectively communicating presentation switching instructions, *i.e., switching games, pay-tables, wager values, etc.* (paragraphs 44-46) to each respective gaming machine, the presentation switching instructions being executable at the respective gaming

machine to cause the respective gaming machine to switch the content of the game video display, the first additional video display, the second additional video display, and the player control touch screen display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation.

Note that, the limitation of "*producing a presentation switching instruction at least partially based on the utilization of additional gaming machines included in a gaming system in which the gaming machine is included, where the additional gaming machines each provide a second game presentation*" is interpreted, in light of the specification, to be performed as resulted from the control of central processor 47. The central processor 47 monitors the usage of the various gaming machines 10 and upon detecting certain predetermined usage conditions such as certain number of gaming machines 10 not used by the casino players, the central processor 47 then switches instructions (via modification controller 50) that would cause the unused gaming machines 10 to provide more popular game presentation. The specification disclosed that:

Modification controller 50 is implemented in software instructions executed by processor 47 and operates to selectively issue presentation switching instructions to the various gaming machines 10 included in gaming system 40. These presentation switching instructions are executed at the receiving gaming machine 10 to cause the gaming machine to switch from a first game presentation to a second game presentation. (Appellant's specification, page 16, lines 9-13).

For example, where the usage information indicates that all or most of the gaming machines at a facility offering a particular game presentation are in use while gaming machines providing another game presentation are not in use, usage monitoring arrangement 51 may provide a control signal or signals to

cause modification controller 50 to issue presentation switching instructions to unused gaming machines offering the less popular game presentation. These switching instructions would cause the receiving gaming machines 10 to switch to provide the more popular game presentation. Of course, the issuance of instructions to switch from one game presentation to another in a particular gaming machines may not be fully automated and may require certain operator intervention within the scope of the invention. (Appellant's specification, page 17, lines 2-11).

And the reference of Morrow et al. disclosed the following:

*Thus, casino management can optimize play on the casino floor by rapidly reconfiguring games quickly and inexpensively. A casino can configure machines or the network to change games, paytables, minimum or maximum bets, and the like, at predetermined times, upon the occurrence of certain events, and/or the casino management can do so spontaneously. A plurality of machines may be reconfigured substantially simultaneously or the casino may choose to reconfigure only a single machine. For example, a casino may want to replace the games, associated pay tables and artwork on a plurality of machines with a more popular game, associated pay tables and artwork. Further, the casino may also program a plurality of machines to raise and lower the minimum bet required. For example, the minimum bet on machines may be \$0.05 on weekdays and \$5 on weekends. Or, if a busload of senior citizens, for example, unexpectedly enters the casino, the slot floor manager could quickly reconfigure some gaming machines, lowering the minimum bet to \$0.05. Alternatively, a predetermined triggering event or trigger may cause the gaming machine, or certain sub-groupings of them, to reconfigure. For example, the gaming machine may lower or raise odds depending on the identity of the player (the network knows the identity of the player if the player inserts his or her game or club card into a card reader, as is known in the art) or the speed at which the game is being played, or the amount wagered. Alternatively, a game change could take place at the request of a patron by the selection of a game title from a multi-game menu. This allows the player to sit at a machine in a specific location within the casino and to also play his game of choice. (Morrow et al.'s paragraph 27)*

*Therefore, the limitation of "producing a presentation switching instruction at least partially based on the utilization of additional gaming machines included in a gaming system in which the gaming machine is included, where the additional gaming*

*machines each provide a second game presentation*" is clearly taught by Morrow et al. reference.

Further, the responses made above to Section (10) II with reference to the teaching of Morrow et al. and Alcorn et al. is also applied herein.

(c) Appellant argued that Morrow et al. and Alcorn et al. do not teach or suggest a method of making a game presentation at a gaming machine and requires responding to the presentation switching instruction by displaying the second game presentation through the video displays located at the front side of the gaming machine so that each respective video display shows a respective portion of the second game presentation (Argument Section, page 13, line 9 to page 14, line 19 of Appellant's Brief) is respectfully disagreed.

The responses made immediately above to Section (10) IV (a) with reference to the teaching of Morrow et al. is also applied herein.

Further, Morrow et al. teaches a method of making a game presentation at a gaming machine and requires a game modification controller (from central server)(Fig.4)(paragraphs 27 and 44-46) in communication with each respective gaming machine, the game modification controller for selectively communicating presentation switching instructions, *i.e.*, *switching games, pay-tables, wager values, etc.* (paragraphs 44-46) to each respective gaming machine, the presentation switching instructions being executable at the respective gaming machine to cause the respective gaming machine to switch the content of the game video display, the first additional video

display, the second additional video display, and the player control touch screen display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation. Note that, Morrow et al. also teaches that all displays may include touch screen input from the user (user interface)(paragraph 22); and the game machine provides option for supporting at least five video displays (paragraph 21); and any content may be displayed on any of the screens (paragraph 22).

*It should be appreciated by one skilled in the art that any number of screens may be used, in accordance with the present invention. Moreover, any content may be displayed on any of the screens.* (Morrow et al.'s paragraph 22, lines 9-12)

Therefore, the limitation of "*responding to the presentation switching instruction by displaying the second game presentation through the video displays located at the front side of the gaming machine so that each respective video display shows a respective portion of the second game presentation*" is clearly taught by Morrow et al. reference.

Further, the responses made above to Section (10) II with reference to the teaching of Morrow et al. and Alcorn et al. is also applied herein.

(d) In response to applicant's argument that there is no suggestion to combine the references (Argument Section, page 14, lines 4-19 of Appellant's Brief), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Morrow et al. teaches all limitations addressed above, including plurality of displays wherein any display could be a player control touch screen display (paragraph 22); and Alcorn et al. teaches player control buttons could be touch screen button on video display, or player mechanical control button placed on the slant-top (or projecting ledge), it would have been obvious to a person of ordinary skill in the art to provide or utilize a player touch screen controller in place of the player mechanical control buttons on the slant-top (or projection ledge) of the gaming machine to enhance user interfaces.

Further, the responses made above to Section (10) II with reference to the teaching of Morrow et al. and Alcorn et al. is also applied herein.

#### **(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Binh-An D. Nguyen  
Examiner  
Art Unit 3714

Art Unit: 3714

BN



April 12, 2007

Conferees:

~~Robert Olszewski~~

Janet Baxter

